

## FACT SHEET ON JUDICIAL SELECTION METHODS IN THE STATES

### State High Courts:

For state high courts (which are called supreme courts in 48 states) a total of 38 states have some type of judicial elections. The breakdown of selection systems for state high courts is as follows:

- + NY + TN  
9 of 23  
+ AZ, IN, KS, MO  
13 of 27 STATES  
WITH JUDGE  
ELECTIONS USE  
PARTISAN ELECTION.
- Seven (7) states have **partisan elections** (AL, IL, LA, NC, PA, TX, WV; All judges in both Illinois and Pennsylvania run in uncontested retention elections for additional terms after winning a first term through a contested partisan election)
  - Fourteen (14) states have **nonpartisan elections** (AR, GA, ID, KY, MI, MN, MS, MT, NV, ND, OH, OR, WA, WI; Ohio and Michigan have nonpartisan general elections, but political parties are involved with the nomination of candidates, who frequently run with party endorsements)
  - Seventeen (17) states have **uncontested retention elections after initial appointment** (AK, AZ, CA, CO, FL, IN, IA, KS, MD, MO, NE, NM, OK, SD, TN, UT, WY; All judges in New Mexico are initially appointed, face a contested partisan election for a full term, and then run in uncontested retention elections for additional terms)
  - The remaining 12 states **grant life tenure or use reappointment of some type for their highest courts** (CT, DE, HI, MA, ME, NH, NJ, NY, RI, VT, VA, SC)

### Intermediate Appellate Courts:

Thirty-nine (39) states have intermediate appellate courts. The breakdown of selection systems for intermediate appellate courts is as follows:

- Six (6) states have **partisan elections** (AL, IL, LA, NC, PA, TX; see note above on IL and PA)
- Eleven (11) states have **nonpartisan elections** (AR, GA, ID, KY, MI, MN, MS, OH, OR, WA, WI; see note above on MI and OH)
- Fourteen (14) states have **uncontested retention elections after initial appointment** (AK, AZ, CA, CO, FL, IN, IA, KS, MO, NE, NM, OK, TN, UT; see note above on NM)
- Eight (8) states **grant life tenure or use reappointment of some type for their intermediate appellate courts** (CT, HI, MD, MA, NJ, NY, SC, VA)
- Eleven (11) states do not have intermediate appellate courts (DE, ME, MT, NV, NH, ND, RI, SD, VT, WV, WY)

### Trial Courts:

A total of 39 states hold elections—whether partisan, nonpartisan, or uncontested retention elections—for trial courts of general jurisdiction. The breakdown of selection systems for trial courts of general jurisdiction is as follows:

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- Eight (8) states have **partisan elections for all general jurisdiction trial court judges** (AL, IL, LA, NY, PA, TN, TX, WV; see note above on IL and PA)
  - Twenty (20) states have **nonpartisan elections for all general jurisdiction trial court judges** (AR, CA, FL, GA, ID, KY, MD, MI, MN, MS, MT, NV, NC, ND, OH, OK, OR, SD, WA, WI)
  - Seven (7) states have **uncontested retention elections for all general jurisdiction trial courts** (AK, CO, IA, NE, NM, UT, WY; see note above on NM)
  - Four (4) states use different types of elections—partisan, nonpartisan, or retention—for general jurisdiction trial courts in different counties or judicial districts (AZ, IN, KS, MO)
  - Eleven (11) states **grant life tenure or use reappointment of some type for all general jurisdiction trial courts** (CT, DE, HI, ME, MA, NH, NJ, RI, SC, VT, VA)
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